

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GEORGE E. BARTON,
Plaintiff,

v.

GARY W. SEWELL, et al.,
Defendant.

No. CV-06-109-FVS

ORDER

THIS MATTER having come before the Court based upon the plaintiff's motion for a default judgment; Now, therefore

IT IS HEREBY ORDERED:

Mr. Barton's motion for a default judgment (Ct. Rec. 10) is denied with leave to re-file if, and when, he obtains entry of the defendants' default by the District Court Executive. Fed.R.Civ.P. 55(a).

IT IS SO ORDERED. The District Court Executive is hereby directed to enter this order and furnish copies to counsel.

DATED this 9th day of August, 2007.

s/ Fred Van Sickle
Fred Van Sickle
United States District Judge